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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/576,727	05/23/2000	Chad A. Cobbley	3639.IUS (97-1383.1)	3108
7590	11/17/2003		EXAMINER	
James R. Duzan Trask Britt P O Box 2550 Salt Lake City, UT 84110			TRINH, MINH N	
			ART UNIT	PAPER NUMBER
			3729	15
			DATE MAILED: 11/17/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	09/576,727	COBBLEY ET AL.	
	Examiner	Art Unit	
	Minh Trinh	3729	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 15 September 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-3,5-20 and 22-34 is/are pending in the application.
 - 4a) Of the above claim(s) 9-17 and 26-34 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-3,5-8,18-20 and 22-25 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed in paper No. 14 (dated 9/15/2003) has been fully considered and made of record.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 1-3, 5-8, 18-20 and 22-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
 - a) The preamble of claims 1-3, 5-8, 18-20 and 22-25 (as amended) is not clear and confusing. It is uncertain whether it directs to an apparatus alone or a combination of an apparatus and a substrate assembly.
 - b) The scope of claims 1-3, 5-8, 18-20 and 22-25 is not clear because it is unknown as to how the "apparatus-substrate assembly" would actually carry out the claimed function of "placing a plurality of conductive spheres on a substrate" (claim 1, lines 1-2). Further, note that the substrate having the claimed configuration does not further limit the claimed structure as recited in the claims.

c) It is also not clear whether "a substrate" (claim 1, line 17; claim 18, line 18) is the same as "a substrate" as recited in claim 1, line 2 and claim 18, line 2 respectively.

5. Claims 1-3, 6-8, 18-20 and 23-25, as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakemi et al (US 5,655,704) in view of Yeh et al (US 5,607,099).

Sakemi et al disclose an apparatus for placing a plurality of conductive spheres on a substrate comprising: a stencil plate 4 with upper and lower surfaces and a first pattern of plurality of through holes 4a, said stencil plate configured to place a plurality of conductive spheres 3 in said first pattern on a approximate surface of the substrate 2(see Figs. 3-4); a hopper (container 12) extending across at least a portion of the upper surface of said stencil plate 4 and closely spaced (gap between 12 and surface of 4) therefrom to maintain control over all the spheres therein (see Fig. 4, col. 4, lines 28-36) the hopper 12 having a bottom opening with a dimension extending across the first pattern for dispersing said spheres into the through holes 4a of the stencil plate 4 and a position apparatus 8 (see Fig. 1) for moving the hopper 12 over the first pattern relative to the stencil plate 4 (see Fig. 4) for place said spheres into said through holes 4a onto the proximate surface of said substrate 2 (see Fig. 4). Sakemi et al do not teach the substrate having an upper surface and bearing conductive sites comprising one of recesses sites and level sites with respect to said upper surface thereof. Yeh et al teach the substrate 10 having an upper surface (top surface) and bearing conductive sites comprising one of recesses sites 12 including level sites with respect to said upper

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surface (see illustration of Figs. 2-3, at col. 4, lines 30-49, and at col. 5, lines 4-10). Therefore, It would have been obvious to one ordinary having skill in the art at the time the invention was made to employ the teaching of the substrate having an upper surface and bearing conductive sites comprising recesses sites and level sites with respect to its upper surface as taught by Yeh et al into the invention of Sakemi et al for receiving and controlling of the corresponding conductive sphere in an effective and efficient manner.

As applied to claims 2-3 and 6, Sakemi et al teach the spheres being dropped and passed downwardly through the through holes by gravitation force as recited in claim 2 (see Fig. 4 which shows the solder balls being gravity fed into the mounting pads of the substrate 2); and the limitations of claims 3 and 6 (refer to Fig. 4 and the discussion at col. col. 4, lines 28-36).

As applied to each of claim 7-8, Sakemi et al teach the stencil 4 is being placed apart from the substrate 2 (see illustration of Fig. 4).

As applied to claims 19-20 and 23, Sakemi et al teach the spheres being dropped and passed downwardly through the through holes by gravitation force as recited in claim 19 (see Fig. 4 which shows the solder balls being gravity feed into the mounting pads of the substrate 2); and the limitations of claims 20 and 23 (see Fig. 4, and the discussion at col. col. 4, lines 28-36).

As applied to claims 24 and 25, Sakemi et al teach the stencil 4 being placed apart from the substrate 2 (see illustration of Fig. 4).

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6. Claims 5 and 22 as best understood are rejected under 35 U.S.C. 103(a) as obvious over Sakemi et al in view of Yeh et al.

As applied to claims 5 and 22, Sakemi et al or Yeh et al as applied and relied upon above do not teach the first pattern holes diameter is greater than the diameter of each of the spheres by up to 1mm. With respect to the above configurations, it would have been an obvious matter of design choice to choose pattern holes diameter greater than the diameter of the spheres since applicant has not disclosed that "the first pattern holes diameter is greater than the diameter of each of the spheres by up to 1mm" would solve any stated problem or is for any particular purpose and it appears that the invention would perform equally well with the commonly used configurations as suggested by the applied references (see Fig. 4 of Sakemi et al, which shows the pattern holes 4a being greater than the diameter of the spheres 3).

Response to Arguments

7. Applicant's arguments with respect to claims 1-8 and 18-25 have been considered but are moot in view of the new ground(s) of rejection (see paragraphs 3-6).

Interviews After Final

8. Applicants note that an interview after a final rejection will not be granted unless the intended purpose and content of the interview is presented briefly, in writing (the agenda of the interview must be in writing). Such an interview may be granted if the examiner is convinced that disposal or clarification for appeal may be accomplished with

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only nominal further consideration. Interviews merely to restate arguments of record or to discuss new limitations which would require more than nominal reconsideration or new search will be denied. See MPEP 714.13 and 713.09.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Trinh whose telephone number is (703) 305-2887. The examiner can normally be reached on Monday -Thursday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (703) 308-1789. The fax phone numbers for the

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organization where this application or proceeding is assigned are (703) 305-7307 for regular communications and (703) 305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.



mt
November 14, 2003

PETER VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700